

**COURT OF APPEAL
STATE OF CALIFORNIA
THIRD APPELLATE DISTRICT**

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Court Minutes

March 15, 2010

- C059249 THE PEOPLE v. (Not For Publication)**
TCHALLA JAMAL CORUM
 The convictions in counts 1 through 6 are affirmed. The order granting a new trial on count 7 is reversed and the cause is remanded with directions to the trial court to deny the motion for a new trial and resentence defendant.
 HULL, J.
We Concur: Blease, Acting P.J.
 Sims, J.
- C059847 THE PEOPLE v. MAXINE TONEY (Not For Publication)**
 The judgment is affirmed.
 BUTZ, J.
We Concur: Scotland, P.J.
 Sims, J.
- C060949 In re C.C.; SACRAMENTO COUNTY (Not For Publication)**
DEPARTMENT OF HEALTH AND
HUMAN SERVICES v. R.M.
 The juvenile court's order denying the section 388 petition is affirmed.
 BUTZ, J.
We Concur: Raye, Acting P.J.
 Cantil-Sakauye, J.
- C061121 In re A.P. et al.; SACRAMENTO COUNTY (Not For Publication)**
DEPARTMENT OF HEALTH AND HUMAN
SERVICES v. A.P.
 The order is affirmed.
 CANTIL-SAKAUYE, J.
We Concur: Scotland, P.J.
 Sims, J.
- C061420 In re N.F.; THE PEOPLE v. N.F. (Not For Publication)**
 The judgment is affirmed.
 CANTIL-SAKAUYE, J.
We Concur: Scotland, P.J.
 Sims, J.

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Court Minutes

March 16, 2010

MISC. ORDER 2010-002

BY THE COURT:

In all pending appeals in which an opinion has not yet been filed and in which appellant is arguably entitled to additional presentence custody credits pursuant to the amendments to Penal Code section 4019, effective January 25, 2010, the court will deem the following issue raised without additional briefing:

The amendments to Penal Code section 4019 apply retroactively to appeals pending on January 25, 2010; thus, appellant is entitled to recalculation of presentence work and custody credits.

SCOTLAND, P.J.

**C056510 THE PEOPLE v. (Certified For Partial Publication)
JAMES LEE BROWN, III**

The judgment of conviction is affirmed. However, the matter is remanded to the Lassen County Superior Court with instructions to provide a detailed recitation of all fees, fines and penalties on the record and to amend the abstract of judgment to reflect these fees, fines and penalties as well as an increase in presentence conduct credits to 62. A certified copy of the amended abstract of judgment shall be forwarded to the Department of Corrections and Rehabilitation.

HULL, J.

We Concur: Sims, Acting P.J.
 Butz, J.

**C059857 THE PEOPLE v. (Not For Publication)
JEFFREY CHARLES WREN**

The judgment is affirmed.

SIMS, Acting P.J.

We Concur: Raye, J.
 Cantil-Sakauye, J.

**C060532 THE PEOPLE v. (Not For Publication)
WILLIAM FREDERICK MAULTSBY**

The appeal is dismissed.

SIMS, Acting P.J.

We Concur: Hull, J.
 Cantil-Sakauye, J.

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STATE OF CALIFORNIA
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Court Minutes

March 16, 2010, Continued

- C062551 THE PEOPLE v. (Not For Publication)**
DANIEL JOSEPH HOMAN
The judgment is affirmed.
RAYE, J.
We Concur: Sims, Acting P.J.
Cantil-Sakauye, J.
- C063342 THE PEOPLE v. (Not For Publication)**
LARRY NORMAN PAINTER
The judgment is affirmed.
NICHOLSON, Acting P.J.
We Concur: Raye, J.
Cantil-Sakauye, J.
- C062229 SMITH v. THE SUPERIOR COURT OF (Not For Publication)**
EL DORADO COUNTY et al.
The judgment (dismissing the underlying complaint without leave to amend) is affirmed. The parties shall bear their own costs on appeal. (Cal. Rules of Court, rule 8.278 (a) (5).)
NICHOLSON, J.
We Concur: Blease, Acting P.J.
Sims, J.
- C061010 In re L.B.; THE PEOPLE v. L.B (Certified For Partial Publication)**
The jurisdictional and dispositional orders are reversed and the matter is remanded to the juvenile court with directions to obtain an evaluation by the director of the regional center for developmental disabilities and for further proceedings consistent with this opinion.
RAYE, J.
We Concur: Sims, Acting P.J.
Cantil-Sakauye, J.

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Court Minutes

March 16, 2010, Continued

**C064428 TAYLOR v. THE SUPERIOR COURT (Not For Publication)
OF SACRAMENTO COUNTY; DEBRA
BOWEN, as Secretary of State, etc., et al.**

Let a peremptory writ of mandate issue directing respondent court to vacate its judgment entered March 12, 2010, insofar as the judgment compels a revision of petitioner's "Fiscal Effect" analysis, ballot label, and ballot title and summary for Proposition 14 with the language developed by respondent court. Petitioner's original "Fiscal Effect" analysis, ballot label, and ballot title and summary are attached as Appendix A to this opinion. This decision is final forthwith as to this court. (See Cal. Rules of Court, rule 8.490(b)(3).)

Further, the temporary stay order issued by this court on March 15, 2010, is vacated and the following stay order shall remain in effect until this decision is final for purposes of review: The Secretary of State shall not cause to be submitted to the State Printer (nor shall the State Printer use) any language for the "Fiscal Effect" analysis, ballot label, and ballot title and summary for Proposition 14 except for the language included in Appendix A to this opinion.

Petitioners are awarded costs in this original proceeding. (Cal. Rules of Court, rule 8.493(a)(1)(A).)

RAYE, J.

We Concur: Scotland, P.J.
 Hull, J.

**C064430 CLARK v. THE SUPERIOR COURT (Not For Publication)
OF SACRAMENTO COUNTY; DEBRA
BOWEN, as Secretary of State, etc., et al.**

Having complied with the procedural requirements for issuance of a peremptory writ in the first instance, we are authorized to issue the writ. ...

The parties shall bear their own costs in this original proceeding.
(Cal. Rules of Court, rule 8.493(a)(1)(B).)

March 17, 2010

There are no minutes for this date

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Court Minutes

March 18, 2010

- C057503 THE PEOPLE v. (Not For Publication)**
MARKANTHONY ANTONUCCI
The judgment is affirmed.
NICHOLSON, J.
We Concur: Sims, Acting P.J.
Hull, J.
- C058434 THE PEOPLE v. LARRY ROSS (Not For Publication)**
The judgment is reversed as to count 7 (second degree robbery) and the consecutive sentence attached to that count is vacated. In all other respects, the judgment is affirmed. The trial court is directed to prepare an amended abstract of judgment and to forward a certified copy of the amended abstract to the Department of Corrections and Rehabilitation.
RAYE, Acting P.J.
We Concur: Butz, J.
Cantil-Sakauye, J.
- C058990 THE PEOPLE v. THERMAN HOLLIS (Not For Publication)**
The judgment is affirmed.
BUTZ, J.
We Concur: Scotland, P.J.
Sims, J.
- C059310 THE PEOPLE v. (Not For Publication)**
DEANDRE CERRONE SCOTT et al.
The judgment is affirmed.
SIMS, Acting P.J.
We Concur: Butz, J.
Cantil-Sakauye, J.
- C060792 THE PEOPLE v. (Not For Publication)**
VICTOR ALFONSO SANCHEZ-MILLAN
The trial court is directed to correct and modify the minute order and order of probation filed December 15, 2008...
As modified, the judgment (order granting probation) is affirmed.
ROBIE, J.
I concur: Nicholson, J.
I concur in the judgment and opinion except as to part IV of the Discussion as to which I concur in the result.
Blease, Acting P.J.

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Court Minutes

March 18, 2010, Continued

- C061538 THE PEOPLE v. OSBALDO SILVA (Not For Publication)**
The trial court's finding on the prior drug conviction allegation is reversed.
The matter is remanded to the trial court for further proceedings. The judgment
is otherwise affirmed.
RAYE, Acting P.J.
We Concur: Butz, J.
Cantil-Sakauye, J.
- C061806 THE PEOPLE v. (Certified For Publication)**
MIGUEL ANGEL CASTILLO
The judgment is affirmed.
BUTZ, J.
We Concur: Hull, Acting P.J.
Robie, J.
- C062051 THE PEOPLE v. ROBERT THOMAS (Not For Publication)**
The judgment is affirmed.
ROBIE, J.
We Concur: Scotland, P.J.
Sims, J.
- C062836 THE PEOPLE v. RAUL SANCHEZ (Not For Publication)**
The judgment is affirmed.
ROBIE, J.
We Concur: Scotland, P.J.
Sims, J.
- C062912 THE PEOPLE v. (Not For Publication)**
ADAM SCOTT GWATHNEY
The judgment is affirmed.
CANTIL-SAKAUYE, J.
We Concur: Nicholson, Acting P.J.
Raye, J.
- C059715 STEELE v. SACRAMENTO CITY (Not For Publication)**
UNIFIED SCHOOL DISTRICT
The judgment is affirmed. Plaintiff shall pay defendant's costs on appeal.
(Cal. Rules of Court, rule 8.278(a)(1) & (2).)
NICHOLSON, Acting P.J.
We Concur: Robie, J.
Butz, J.

**COURT OF APPEAL
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Court Minutes

March 18, 2010, Continued

C060789 In re J.J.; SACRAMENTO COUNTY (Not For Publication)
DEPARTMENT OF HEALTH AND
HUMAN SERVICES v. O.J.

The orders of the juvenile court are affirmed.

HULL, J.

We Concur: Scotland, P.J.

Butz, J.

C062109 In re T.M.; SACRAMENTO COUNTY (Not For Publication)
DEPARTMENT OF HEALTH AND
HUMAN SERVICES v. M.D.

The DHHS's motion for judicial notice is granted. The appeal is dismissed as moot.

BUTZ, J.

We Concur: Hull, Acting P.J.

Robie, J.

C062135 In re M.A. et al.; SACRAMENTO COUNTY (Not For Publication)
DEPARTMENT OF HEALTH AND
HUMAN SERVICES v. M.A.

The judgments are affirmed.

BLEASE, Acting P.J.

We Concur: Sims, J.

Nicholson, J.

C062186 In re E.G.; SACRAMENTO COUNTY (Not For Publication)
DEPARTMENT OF HEALTH AND
HUMAN SERVICES v. PETER G.

The juvenile court's order is affirmed.

NICHOLSON, Acting P.J.

We Concur: Robie, J.

Butz, J.

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Court Minutes

March 18, 2010, Continued

C063449 K.C. v. THE SUPERIOR COURT OF (Certified For Publication)
TRINITY COUNTY; TRINITY COUNTY
HEALTH AND HUMAN SERVICES et al.

The petition for extraordinary writ is denied. The stay of the juvenile court proceedings previously imposed is hereby vacated.

SIMS, Acting P.J.

I concur: Cantil-Sakauye, J

I concur in the result.

Raye, J.

March 19, 2010

C061629 THE PEOPLE v. CLAUDINE FLEURY (Certified For Publication)

The judgment is affirmed.

BLEASE, J.

We Concur: Scotland, P.J.

Sims, J.